

REMARKS

The Examiner is thanked for the performance of a thorough search.

By this amendment, Claims 35, 38-40, 75, and 78-80 have been amended. No claims have been added or cancelled. Hence, Claims 1-80 are pending in the application.

I. SUMMARY OF THE REJECTIONS

Claims 1-4, 7-8, 10-21, 23-25, 28-35, 37-44, 47-48, 50-61, 63-65, 68-75, and 77-80 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Schwartz et al., U.S. Patent No. 6,473,609 ("SCHWARTZ").

Claims 9, 22, 36, 49, 62, and 76 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over SCHWARTZ in view of an Official Notice taken by the Examiner.

Claims 5-6, 26-27, 45-46, and 66-67 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over SCHWARTZ in view of Monday, U.S. Patent No. 6,480,860 ("MONDAY").

II. REJECTIONS BASED ON THE CITED ART

A. BRIEF OVERVIEW OF SCHWARTZ

In general, SCHWARTZ describes a system for navigation of the Internet by two-way interactive communication mobile devices that are capable of wireless communication via a link server with service providers or network servers on the Internet. The mobile devices have very limited computing resources, which makes it economically and technically impracticable to operate a local browser. However, the SCHWARTZ invention allows the mobile devices to interact effectively with the Internet by using a control engine operating in a link server (which serves as a proxy between network servers and wireless mobile devices) and an interface engine operating in the mobile devices. The control engine, which utilizes the computing resources of

the link server, is responsible for tasks that require considerable computing power and memory, and the interface engine, in a mobile device, is responsible for tasks that do not require considerable computing power, such as receiving input data from a user and displaying the contents of markup language files received in screen description format on a mobile device display screen. (See Abstract).

In particular, SCHWARTZ teaches that “[d]espite the common deficiencies of mobile devices (i.e. a primitive processor, little memory, and limited graphic capability) which make it economically and technically impractical for the mobile devices to operate a local browser,” (col. 2, lines 37-42), the techniques described in SCHWARTZ allow for effective interaction with the Internet by converting, in the link server, the messages from a network server to the mobile devices “to a data format that is compact enough to be efficiently transportable over [the] wireless network.” (Col. 8, lines 56-58.) “The messages received from the network server are typically markup language files or data, requests, notifications and other commands that could cause mobile device[s] to respond as desired in the received messages.” (Col. 8, lines 58-62).

More specifically, SCHWARTZ teaches that a screen display that is shown in a mobile device is represented by a Handheld Device Markup Language (HDML) file. (Col. 9, lines 15-16.) The mobile device “typically does not have the necessary computing power and memory to operate a browser in response to the HDML files.” (Col. 9, lines 29-31.) “Therefore, an HDML file received is first analyzed by message digester [in the link server], and then converted through converter [also in the link server] into a set of screen commands that cause a mobile device, upon receiving the screen commands, to display the contents in the HDML file according to the screen commands.” (Col. 9, lines 31-36.) “Typically, the screen commands are

expressed in a form of screen description data (SDD) that is rendered in an interface engine in [the] mobile device.” (Col. 9, lines 36-39.) Thus, SHCWARTZ teaches that the information sent to the mobile device includes the entire description and/or definition of the screen display (from the HDML file) as screen commands in a compressed binary (e.g. SDD) format. The interface engine in the mobile device only receives the screen commands, and displays the contents of the HDML file according to these commands. Most significantly,

[o]ne aspect which differentiates the present invention [SCHWARTZ] fundamentally from prior art systems is that the control engine in the link server is responsible for tasks that require computing resources while the **interface engine** in the terminal [mobile device] is **only responsible for rendering the screen description data to cause the display screen to display contents and receive inputs from a user.**” (Col. 12, lines 48-54, emphasis added.)

B. CLAIMS 1 AND 41

Claims 1 and 41 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by SCHWARTZ. The rejection is respectfully traversed.

Among other features, Claims 1 and 41 recite

...
managing information at a mobile application server executing on a platform connected to the network, the information including first data describing a graphical element for display on the mobile device, **the first data including a first reference to the graphical element** and a second reference to a page associated with requesting a service from a first application;
sending to the client process for rendering the graphical element on the mobile device, second data based on the first data, **the second data including the first reference;**
... .

Thus, among other features, Claims 1 and 41 recite that a reference to a graphical element is sent to the mobile device, and not the entire definition of, or instructions on how to construct, the graphical element.

1. The feature of sending a reference to a graphical element to the mobile device is not described, taught, or suggested by SCHWARTZ, and for this reason SCHWARTZ does not anticipate Claims 1 and 41

Claims 1 and 41 include a feature where a first data, that describes a graphical element, includes a first reference to the graphical element. Claims 1 and 41 further recite the feature where a second data, based on the first data and including the first reference, is sent to the client process or mobile device. Thus, in Claims 1 and 41, the information sent to the client process (the second data) includes a reference to the graphical element, and not the definition of the graphical element itself, which definition may be included in, for example, the first data.

In contrast, as discussed above, SCHWARTZ discloses that the entire definition of, or the instructions on how to construct, the graphical element is sent to the client process. The Applicants respectfully submit that the distinction between a reference to a graphical element and the definition of the graphical element itself is the distinguishing feature between the elements of Claims 1 and 41 and SCHWARTZ. A mobile device in SCHWARTZ cannot do anything more than display a graphical element that is sent to it, and thus the mobile device must receive the entire graphical element (directly, as an HDML file, or indirectly, as screen commands in SDD format) in order to be able to display the element. In contrast, in Claims 1 and 41 only a reference to the graphical element is sent to the mobile device. For this reason, the Applicants respectfully submit that the feature of Claims 1 and 41 requiring sending to the client device a reference to a graphical element is NOT disclosed, taught, or suggested by SCHWARTZ.

2. The paragraphs from SCHWARTZ that the Office Action cites to support the assertion that SCHWARTZ anticipates the features of Claims 1 and 41 fail to describe, teach, or suggest a feature of sending a reference to a graphical element to the mobile device

The Office Action asserts that in col. 9, lines 1-39, in col. 10, lines 7-11, in col. 11, lines 42-48, in col. 12, lines 32-39 and 48-54, and in col. 13, lines 1-3 and 39-63, SCHWARTZ describes sending to a mobile device second data that is based on first data that describes a graphical element and that includes a first reference to the graphical element. The Applicants respectfully disagree.

As mentioned above, in col. 9, lines 1-39, SCHWARTZ describes that a graphical element that is shown on the display screen of a mobile device is represented by an HDML file. Further, this paragraph describes that the HDML file is converted into screen commands in Screen Description Data (SDD) format, and the interface engine in the mobile device only renders the graphic element based on the screen commands without doing any additional processing. Most importantly, as discussed above, this passage confirms that the entire graphical element, and not just a reference to it, is sent to the mobile device.

The notion that the interface engine needs the definition of the entire graphical element, as opposed to a reference to it, is further strengthened by the paragraph in col. 10, lines 7-11, which states that “SDD files can be **directly rendered** by an interface engine in mobile device 350 **without further processing.**” (Emphasis added.) Further, in col. 11, lines 42-48, SCHWARTZ states that upon establishing a communication session with the mobile device, the link server forwards the screen description data of the graphical element to the interface engine in the mobile device, which in turn “causes the display screen to display the information

embedded in the screen description data.” (Emphasis added.) This clearly shows that what is sent to the mobile device is the definition of the entire graphical element because display information CANNOT be EMBEDDED IN a reference to a graphical element.

Moreover, the paragraph in col. 12, lines 32-39 states that “[u]pon establishing a communication session between mobile device 602 and server 604, an initial HDML deck transmitted to link server 606 includes an introductory display card and a choice card,” thus clearly indicating that the full definition of a graphic element or elements (display and/or choice card or cards) is transmitted to the mobile device.

Finally, in col. 13, lines 1-3 SCHWARTZ states that the display screen of a mobile device displays a graphical image, and in col. 13, lines 39-63, SCHWARTZ describes in detail how scrolling is achieved by providing arrows to navigate between display screens. Significantly, however, nothing in col. 13 describes, teaches, or suggests that a reference to the graphical element is sent to the mobile device.

3. SCHWARTZ not only fails to describe, teach or suggest the feature of Claims 1 and 14 of sending a reference to a graphical element to the mobile device, but in fact TEACHES AWAY from sending to the mobile device anything less than the entire definition of the graphical element

Since the mobile devices in SCHWARTZ have very limited processing capabilities and are capable of only displaying graphical elements, SCHWARTZ in fact teaches away from sending to the mobile devices anything less than the entire definition of a graphical element. Thus, in the context of mobile devices with limited processing capabilities, the disclosure in SCHWARTZ teaches away from sending to the mobile devices a reference to a graphical

element as recited in Claims 1 and 41 because according to SCHWARTZ a mobile device will not be able to display a graphical element based solely on a reference.

For the reasons given above, the Applicants respectfully submit that SCHWARTZ does not describe, teach, or even suggest “sending to the client process for rendering the graphical element on the mobile device, second data based on the first data, the second data including the first reference” to the graphical element as required by Claims 1 and 41. Thus, Claims 1 and 41 are not anticipated under 35 U.S.C. § 102(e) by SCHWARTZ, and withdrawal of the rejection is respectfully requested.

C. CLAIMS 35 AND 75

Claims 35 and 75 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by SCHWARTZ.

As amended herein, Claims 35 and 75 recite the feature of “sending, to the client process for rendering a particular graphical element of the particular page, fourth data based on the first data, the fourth data including a particular reference to the particular graphical element”, which feature is similar to the feature of Claims 1 and 41 discussed above. Therefore, for the same reasons given above with respect to Claims 1 and 41, the Applicants respectfully submit that SCHWARTZ fails to describe, teach, or suggest a feature of sending to the mobile device for rendering a reference to a graphical element.

For this reason, it is respectfully submitted that Claims 35 and 75 are not anticipated by SCHWARTZ under 35 U.S.C. § 102(e), and withdrawal of the rejection is respectfully requested.

D. CLAIMS 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, AND 77-80

Each of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 is dependent upon one of independent Claims 1, 35, 41 and 75, and thus includes each and every feature of its corresponding independent claim. Each of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 is therefore allowable for the reasons given above for Claims 1, 35, 41 and 75. In addition, each of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 introduces one or more additional features that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not included at this time. Therefore, it is respectfully submitted that Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 are allowable for the reasons given above with respect to Claims 1, 35, 41 and 75.

E. CLAIMS 9, 22, 36, 49, 62, AND 76

Claims 9, 22, 36, 49, 62, and 76 have been rejected under 35 U.S.C. § 103(a) over SCHWARTZ in view of an Official Notice taken by the Examiner.

Each of Claims 9, 22, 36, 49, 62 and 76 is dependent upon one of independent Claims 1, 35, 41 and 75, and thus includes each and every feature of its corresponding independent claim. In particular, each of these claims includes a feature of sending to the client process for rendering on the mobile device a reference to a graphical element. The Official Notice taken by the Examiner does not assert that such feature would have been obvious in light of the known art, and as discussed above with respect to Claims 1, 35, 41, and 75, this feature is not disclosed, taught, or suggested by SCHWARTZ. Thus, the Applicants respectfully submit that SCHWARTZ and the Official Notice, taken either alone or in combination, fail to teach all of the elements recited in Claims 9, 22, 36, 49, 62, and 76. For this reason, the Applicants

respectfully request withdrawal of the rejection of Claims 9, 22, 36, 49, 62, and 76 under 35 U.S.C. § 103(a) over SHCWARTZ in view of the Official Notice.

F. CLAIMS 5-6, 26-27, 45-46, AND 66-67

Claims 5-6, 26-27, 45-46, and 66-67 have been rejected under 35 U.S.C. § 103(a) over SCHWARTZ in view of MONDAY.

Each of Claims 5-6, 26-27, 45-46, and 66-67 is dependent upon one of independent Claims 1, 35, 41 and 75, and thus includes each and every feature of its corresponding independent claim. In particular, each of these claims includes a feature of sending to the client process for rendering on the mobile device a reference to a graphical element. The Office Action does not assert, and the Applicants cannot find, that MONDAY describes, teaches or suggests this feature. Furthermore, as discussed above with respect to Claims 1, 35, 41, and 75, this feature is not disclosed, taught, or suggested by SCHWARTZ. Thus, the Applicants respectfully submit that SCHWARTZ and MONDAY, taken either alone or in combination, fail to teach all of the elements recited in Claims 5-6, 26-27, 45-46, and 66-67. For this reason, the Applicants respectfully request withdrawal of the rejection of Claims 5-6, 26-27, 45-46, and 66-67 under 35 U.S.C. § 103(a) over SHCWARTZ in view of MONDAY.

III. CONCLUSION

The Applicants believe that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, the Applicants respectfully submit that allowance of the pending claims is appropriate. Reconsideration of the present application is respectfully requested in light of the amendments and remarks herein.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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on 12/27/04 by Darci Jaganoff